

## AMENDMENTS

### In the Claims:

Please **amend** the currently pending claims by substituting the following:

Claim 1 (cancelled)

Claim 2 (previously presented)      A download apparatus according to claim 26,  
wherein said download device comprises:

an input device to which type data of desired music data sets required by the user is input  
by the user;

a data memory device that stores the music data sets transmitted from the center station;  
and

a control device for selecting at least one of the music data sets from the center station for  
storing in said data memory device.

Claim 3 (previously presented) A download apparatus according to claim 2, wherein said control device comprises:

a known type data read-in device that reads in, as known type data, the type data of the previously downloaded music data sets previously stored in the storage medium of said player;

a desired type read-in device that reads in, as desired type data, the type data input by the user using said input device;

a new type data read-in device that reads in, as new type data, the type data of the new music data sets received by said reception device;

a determination device that determines, for each new music data set, whether the new type data of the new music data set is equal to the desired type data and whether the new type data of the new music data set is different from all of the known type data;

a data storing device for storing at least one new music data set transmitted from the center station in said data memory device when the determination device determines that the new type data of the at least one new music data set is equal to the desired type data but different from all of the known type data;

a downloading device that downloads the music data sets stored in said data memory device by said data storage device to the storage medium of said player; and

a type data rewrite device that rewrites said new type data as known type data.

Claim 4 (previously presented) A download apparatus according to claim 26, wherein the storage medium of said player comprises a writable ROM, and wherein said download device includes an encoding device that encodes music data into MPEG codes.

Claim 5 (currently amended) A download control method for a player, comprising the steps of:

reading in, as known type data, type data of music data stored in a storage medium provided in a storage medium provided in a player when it is determined that the player has been placed on a table;

reading in, as desired type data, type data designated and input by a user of the player;

reading in, as new type data, type data of music data transmitted from a center station and received;

determining whether or not the desired type data is equal to the new type data and the new type data is different from the known type data;

storing the music data transmitted from said center station in a data memory device when the desired type data is equal to the new type data and the new type data is different from the known type data;

downloading the music data stored in the data memory device to the storage medium provided in said player; and

rewriting said new type data as known type data.

Claim 6 (currently amended) A mechanically readable storage medium storing commands that allow a machine to execute a download control method comprising the steps of:

reading in, as known type data, type data of music data stored in a storage medium provided in a player when it is determined that the player has been placed on a table;

reading in, as desired type data, type data designated and input by a user of the player;

reading in, as new type data, type data of music data transmitted from a center station and received;

determining whether or not the desired type data is equal to the new type data and the new type data is different from the known type data;

storing the music data transmitted from said center station in a data memory device when the desired type data is equal to the new type data and the new type data is different from the known type data;

downloading the music data stored in the data memory device to the storage medium provided in said player; and

rewriting said new type data as known type data.

Claim 7 (previously presented) A download apparatus according to claim 26, wherein said player is a portable player.

Claim 8 (previously presented) A download apparatus according to claim 26, wherein the center station transmits the new music data sets to said download device.

Claim 9 (previously presented) A download apparatus according to claim 2, wherein said download device comprises a receptor which said player is coupled when music data is downloaded to said player.

Claim 10 (previously presented) A download control method according to claim 5, wherein the player is a portable player.

Claim 11 (canceled).

Claim 12 (previously presented) A mechanically readable storage medium according to claim 6, wherein the player is a portable player.

Claims 13-14 (canceled)

Claim 15 (currently amended) A recording apparatus comprising:

a portable player carrying a storage medium that stores sound data having type data which is capable of being designated by a user of the player;

a reception device that receives the type data transmitted from a source, wherein said reception device receives new sound data including the type data designated by the user; and

a recording device that reads in, as known type data, the type data of the sound data stored in the storage medium carried by said player when it is determined that said player is placed on a table, and records the new sound data, which has not been recorded in said recording device and is transmitted from the source, to the storage medium carried by said player when the type data transmitted from the source matches the type data designated by the user, ~~wherein the new sound data includes type data that is designated by the user and does not match any of the~~ known type data read in from the storage medium carried by said player when said player has been placed on the table of the sound data previously recorded in said recording device.

Claim 16 (previously presented) A recording apparatus according to claim 15, wherein the type data are at least one of genre data, singer data and number data, respectively.

Claim 17 (previously presented) A recording apparatus according to claim 15, wherein the sound data is music data.

Claim 18 (previously presented) A recording apparatus according to claim 15, wherein said reception device is a tuner and the sound data is received through said tuner.

Claim 19 (previously presented) A recording apparatus according to claim 15, wherein said player is an MP3 player.

Claim 20 (previously presented) A recording apparatus according to claim 15, wherein the type data transmitted from the source is stored as new type data and is compared with the type data designated by the user.

Claim 21 (previously presented) A recording apparatus according to claim 20, wherein the type data transmitted from the source is stored as known type data.

Claim 22 (previously presented) A recording apparatus according to claim 21, wherein the sound data is recorded when the new type data is identical to the type data designated by the user and the new data is different from the known type data.

Claim 23 (previously presented) A recording apparatus according to claim 15, further comprising an MPEG encoder, and wherein the sound data is encoded by said MPEG encoder.

Claim 24 (previously presented) A recording apparatus according to claim 15, wherein said recording device includes a hard disk drive.

Claim 25 (previously presented) A recording apparatus according to claim 24, wherein the sound data transmitted from the source is recorded in the hard disk drive and the sound data recorded in the hard disk drive is transferred to the storage medium.

Claim 26 (currently amended) In a download system for downloading music data sets, wherein each music data set includes music data and type data for identifying content characteristics of the music data, the type data being designatable by a user and including at least one of genre data, singer data, and number data, a download apparatus comprising:

a player including a storage medium for storing music data sets, said storage medium having stored previously downloaded music data sets;

a download device connectable to a center station for downloading new music data sets to said storage medium, wherein at least one of the new music data sets include desired type data that is designated by the user of the player and does not match any of the type data of the previously downloaded music data sets; and

a reception device operatively coupled to said download device for receiving music data sets transmitted from said center station, wherein said reception device receives the new music data sets including the desired type data designated by the user;

a table operatively coupled to said download device for receiving and connecting said download device to said player,

wherein, when it is determined that said player is connected to said table, said download device reads in the type data of the music data sets stored in said player as known type data,

wherein said download device reads in the type data designated by the user as desired type data, and reads in the type data of each music data set transmitted from said center station as new type data, and

wherein said download device download the transmitted music data set when it is determined based on the known type data, the desired type data, and the new type data that the transmitted music data set has not been stored in said storage medium.